

**MINUTES
COLUMBUS BOARD OF ZONING APPEALS
MARCH 29, 2005 AT 6:30
COUNCIL CHAMBERS, 2nd FLOOR, CITY HALL
123 WASHINGTON STREET
COLUMBUS, INDIANA**

Members Present: Mary Ferdon, Acting Chairperson; Karen Dugan, Secretary, Lou Marr, Fred Stadler, and Joan Tupin-Crites, alternate

Members Absent: Pat Zeigler, Chairperson

Staff Present: Alan Whitted, City Attorney, Marcus Hurley, Hearing Officer Thomas Weintraut; and Stephanie Carr, Code Enforcement

Mary Ferdon, Acting Chairperson, opened the meeting with a brief explanation about the Board and its responsibilities.

Proof of advertising for all cases was confirmed. The petitions and staff comments are a permanent record at the Planning Department.

Alan Whitted, City Attorney, administered the oath to all in attendance that would be speaking.

Ms. Ferdon began the meeting with announcing the following cases that had been continued until the next meeting on April 26, 2005.

C/UV-05-02- Homestead 1865 – Susan Reid, on behalf of Wayne and Susan Reid and Shirley Burbrink.

C/UV-05-03-Pregnancy Care Center

C/CU-05-01-Pregnancy Care Center

DOCKET NO. C/UV-05-01 BETHESDA HOUSE (continued due to indecisive vote)

Mike Harris, on behalf of Tangemann Charitable Trust, is requesting a use variance to operate an addictive behavior recovery home. The property is located on the east side of Lafayette Avenue between 4th Street and 5th Street at 423/425 Lafayette Avenue, Columbus, Indiana.

Mr. Whitted, briefly explained to the public, the reason this case was back on the agenda. He explained that on February 22, 2005 two motions were made in regard to the petition. The first, a motion to deny died with no second. The second, a motion to approve failed by a vote of 2-3. A positive motion or a motion either to deny or approve is needed with the majority vote (at least 3 votes) to conclude the board's action on a petition.

Ms. Tupin-Crites asked to be excused from the case, due to the fact she did not attend the last meeting.

Ms. Ferdon stated there would not be a public hearing in the case, and asked if the petitioners had any additional information they would like to present.

Mike Harris and Rick Sanders gave their names for the record.

Mr. Harris stated that he had new information he thought the board would like to hear concerning issues that were raised at the last BZA meeting.

Mr. Harris made a brief statement in regard to safety issues and read a letter from Daniel Miller of Town and Country Real Estate, stating the recovery home in Bloomington has not had an adverse effect on property value.

There was no public hearing.

Lou Marr made a motion to deny **C/UV-05-01**. She stated that she did believe it would affect the property value of the neighborhood. Ms. Marr said she did not think it followed the comprehensive plan for the downtown area. She also stated that with the number of people, parking would be a problem. Karen Dugan seconded the motion and it passed with a vote of 3-1.

C/DS-05-01 JIM AND CAROL DAILY.

Ms Ferdon read a letter into the record from Carol Daily, requesting a continuance.

Motion to continue case number **C/DS-05-01** was approved unanimously.

C/DS-05-03 DOGWOOD PLACE (QUINCO)

Quinco Consulting Center, Inc. is requesting a development standards variance for relief from the minimum parking requirements for a multi-unit facility. The property is located near the south Marr Road Quinco facility at 730 Schnier Drive in the City of Columbus.

E.R. Gray of E.R. Gray & Association and Lew Ruddick representing the petitioners, stated their names for the record.

Mr. Hurley read the background along with the planning considerations and findings of fact. Visual slides were presented.

The petitioners presented their case for the record and exhibits were passed out to the Board.

The meeting was open to the public.

Harold Forrest spoke in favor of the petition.

Ms. Ferdon read a letter from Debra Holt, of the Columbus Housing Authority. Their property is located directly west of the proposed petition. She requested a fence be placed between the two properties, if the petition was passed.

The meeting was closed to the public.

Joan Tupin-Crites made a motion to approve **C/DS-05-03** with the stipulation only 18 residents would be permitted.

Fred Stadler seconded the motion to approve **C/DS-05-03**.

Ms. Marr stated the findings of fact had not been addressed.

Mr. Hurley said the findings of fact needed to be addressed and included in the motion.

Ms. Turpin-Crites amended her motion to approve **C/DS-05-03** with the stipulation there would be only 18 residents and she believed all criteria had been met.

Motion died for lack of second.

Karen Dugan made a motion to deny **C/DS-05-03** based on the fact all criteria have not been met. Lou Marr seconded the motion to deny and it carried with a vote of 4-1.

DOCKET C/CU-05-02 COLUMBUS ICE INC.

Billy and Beth Stott, d/b/a Columbus Ice Inc., are requesting a conditional use permit to allow retail sales of items manufactured onsite in an industrial district. The property is located at 2040 Cottage Avenue in the City of Columbus.

Billy Stott stated his name for the record.

Mr. Weintraut read the staff report along with the provisional findings of fact into the record. Mr. Weintraut read the staff recommendations.

Mr. Stott presented his case to the staff.

The meeting was opened to the public.

There was no public comment.

The meeting was closed to the public.

Ms. Marr made a motion to approve **C/CU-05-02** based on the findings of fact as presented by staff. The motion was seconded by Karen Dugan and it carried with a vote of 5-0.

FINDINGS OF FACT

The following findings of fact were presented to the Board for consideration:

C/CU-04-12- Charles and Christine Wanicki

Lou Marr made a motion to accept the findings, seconded by Fred Stadler. The motion passed 3-0.

C/CU-04-13 The Bartholomew County Humane Society

Lou Marr made a motion to accept the findings, seconded by Fred Stadler. The motion passed 4-0.

C/DS-05-02- Peter and Lynda Leach

Lou Marr made a motion to accept the findings, seconded by Karen Dugan. The motion passed 4-0.

APPROVAL OF MINUTES

A motion was made by Lou Marr and seconded by Karen Dugan to approve the minutes of February 22, 2005. The motion carried unanimously.

There being no further business, the meeting was adjourned.

Mary Ferdon, Acting Chairperson

Karen Dugan, Secretary